

THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 24752 of 1998

Order:

Questioning the action of the respondents in not considering the case of the petitioner for absorption/appointment in the regular post of Junior Lineman/Helper or in any other suitable post on the ground that he is over aged at the time of initial engagement as contract labour, the petitioner filed the present writ petition.

Despite passing over the matter to 2.15 p.m., none appear for the petitioner. As can be seen from the affidavit filed in support of the writ petition, the case of the petitioner is that he has been working with the respondents for the last more than 20 years, and though he was interviewed by the respondent-APSEB for absorption/appointment to the post of Junior Lineman, his case was rejected on the ground that he was over aged at the time of his initial engagement, which is illegal and arbitrary.

The writ petition is of the year 1998. Till date no counter is filed. The learned Standing Counsel for the respondent-APSEB submitted that as on the date when the petitioner filed the writ petition, he was aged 50 years, and by now, he must have attained the age of 59 years, and as such, nothing would remain for consideration in the writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-APSEB.

The present writ petition was filed in the year 1998, and as seen from the cause title, the age of the petitioner as on the date of filing writ petition was about 50 years, and by this time, he might have attained the age of 59 years. In the circumstances, nothing would remain for consideration in the writ petition, and even if the writ petition is to be adjudicated, no age relaxation can be granted to the petitioner, entitling him for the relief of absorption, having regard to the judgment of the apex Court in Civil Appeal No. 3215 of 2002 and batch dated 18.04.2002, wherein it was held that no age relaxation can be granted as the statutory regulations did not provide for any relaxation of age.

The writ petition is devoid of merit, and the same is accordingly dismissed. No costs.

N.V. RAMANA, J.

Dated: 08th August, 2007.
KSR